



**BEFORE THE BOARD OF DIRECTORS OF
WEST BOISE SEWER DISTRICT, ADA COUNTY, IDAHO**

142

**IN THE MATTER OF THE INCLUSION)
OF CERTAIN REAL PROPERTY IN THE)
WEST BOISE SEWER DISTRICT OWNED)
BY THE CITY OF BOISE)**

ORDER OF INCLUSION

THIS MATTER having come on regularly for hearing this 11th day of October, 2011, pursuant to a petition filed with the Board of the West Boise Sewer District (the District) on August 31, 2011, by the City of Boise, Petitioner and Owner, and pursuant to a notice by publication in the Idaho Statesman, a newspaper of general circulation within the District, on September 27, 2011 and October 4, 2011, which appears in the Affidavit of Publication attached hereto. No person appeared to protest the inclusion of the real property owned by Petitioner; and,

Since the property proposed to be annexed was not contained in the original boundaries of the District, the Board will require that the property be annexed subject to certain conditions hereafter set forth. Petitioner states that it is aware that as a condition of inclusion the District may require that the land described in the petition be subjected to the amount of 1976 taxes of the District as well as tax assessments for all subsequent years, and that Petitioner is aware that it will be the expense of the landowner to provide for such installations of sewer lines necessary to connect to the lines of the District.

The Board will require as an additional condition that Petitioner be responsible for the costs of publication in the amount of \$234.38, and the legal and engineering fees incurred as a result of this annexation in the amount of \$300.00. The property being annexed is subject to the further condition that the Owner of the land being annexed to the District shall be responsible for the expenses for such installation of sewer lines necessary to connect to the lines of the District.

There being no objection to the inclusion of said property owned by Petitioner, subject to said conditions, and the Board being fully advised,

NOW, THEREFORE, IT IS ORDERED that it is in the best interests of the Petitioner and the District that the following described property be and the same is hereby included within the District, to wit:

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 26, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the southeast corner for Section 26, from which the East Quarter corner of said Section 26 bears North 0°30'20" East 2631.62 feet; thence along the easterly boundary of said Section 26 North 0°30'20" East 1984.03 feet; thence leaving said easterly boundary North 89°29'40" West 715.60 feet to the centerline of North Maple Grove Road; thence South 39°51'16" West 58.68 feet to a point on the westerly right of way of North Maple Grove Road, said point being the True Point of Beginning;

Thence South 39°51'16" West 86.32 feet;
Thence North 50°08'44" West 183.00 feet;
Thence North 82°44'13" West 236.63 feet;

Thence North 37°50'35" East 220.00 feet to the westerly right of way of said North Maple Grove Road;

Thence along said right of way South 52°09'25" East 8.98 feet to a found aluminum cap being 45.00 feet left of Station 53+00.02, as shown on Record of Survey No. 8534, Instrument No. 109033214, records of Ada County;

Thence continuing along said right of way South 53°35'21" East 107.49 feet to a found aluminum cap being 45.00 feet left of Station PT 51+92.53';

Thence 27.34 feet along the arc of a curve right, said curve having a radius of 455.00 feet, a central angle of 3°26'36", and a chord bearing South 51°52'04" East 27.34 feet to a found aluminum cap being 45.00 feet left of PC Station 51+62.49;

Thence continuing along said right of way South 50°08'44" East 209.31 feet to a found aluminum cap being 45.00 feet left of Station 49+53.18;

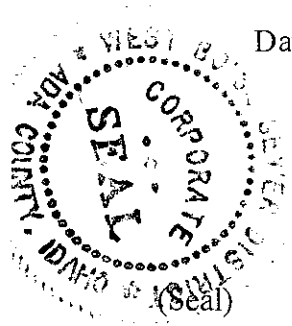
Thence continuing along said right of way South 29°56'29" East 39.62 feet to the True Point of Beginning.

Said parcel contains 1.17 Acres more or less.

1. Petitioner will be required to pay \$234.38 for costs of publication.
2. Petitioner will be required to pay \$300.00 for the legal and engineering fees incurred as a result of this annexation.
3. The Owner of the land being annexed to the District shall be responsible for the expenses for such installation of sewer lines necessary to connect to the lines of the District.

IT IS FURTHER ORDERED that the Petitioner/Owner of the property hereinbefore described evidences its approval of the foregoing conditions.

Dated this 11th day of October, 2011.



WEST BOISE SEWER DISTRICT

By: _____

Joy B. Buersmeyer
Joy B. Buersmeyer, Chair

Attest:

Patricia A. Roe

Patricia A. Roe

Secretary

CONSENT

The undersigned hereby consents to the conditions contained in the Board's Order annexing the following described property to the West Boise Sewer District, Ada County, Idaho:

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 26, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the southeast corner for Section 26, from which the East Quarter corner of said Section 26 bears North 0°30'20" East 2631.62 feet; thence along the easterly boundary of said Section 26 North 0°30'20" East 1984.03 feet; thence leaving said easterly boundary North 89°29'40" West 715.60 feet to the centerline of North Maple Grove Road; thence South 39°51'16" West 58.68 feet to a point on the westerly right of way of North Maple Grove Road, said point being the True Point of Beginning;

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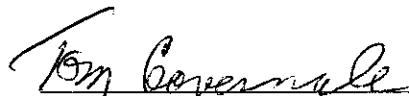
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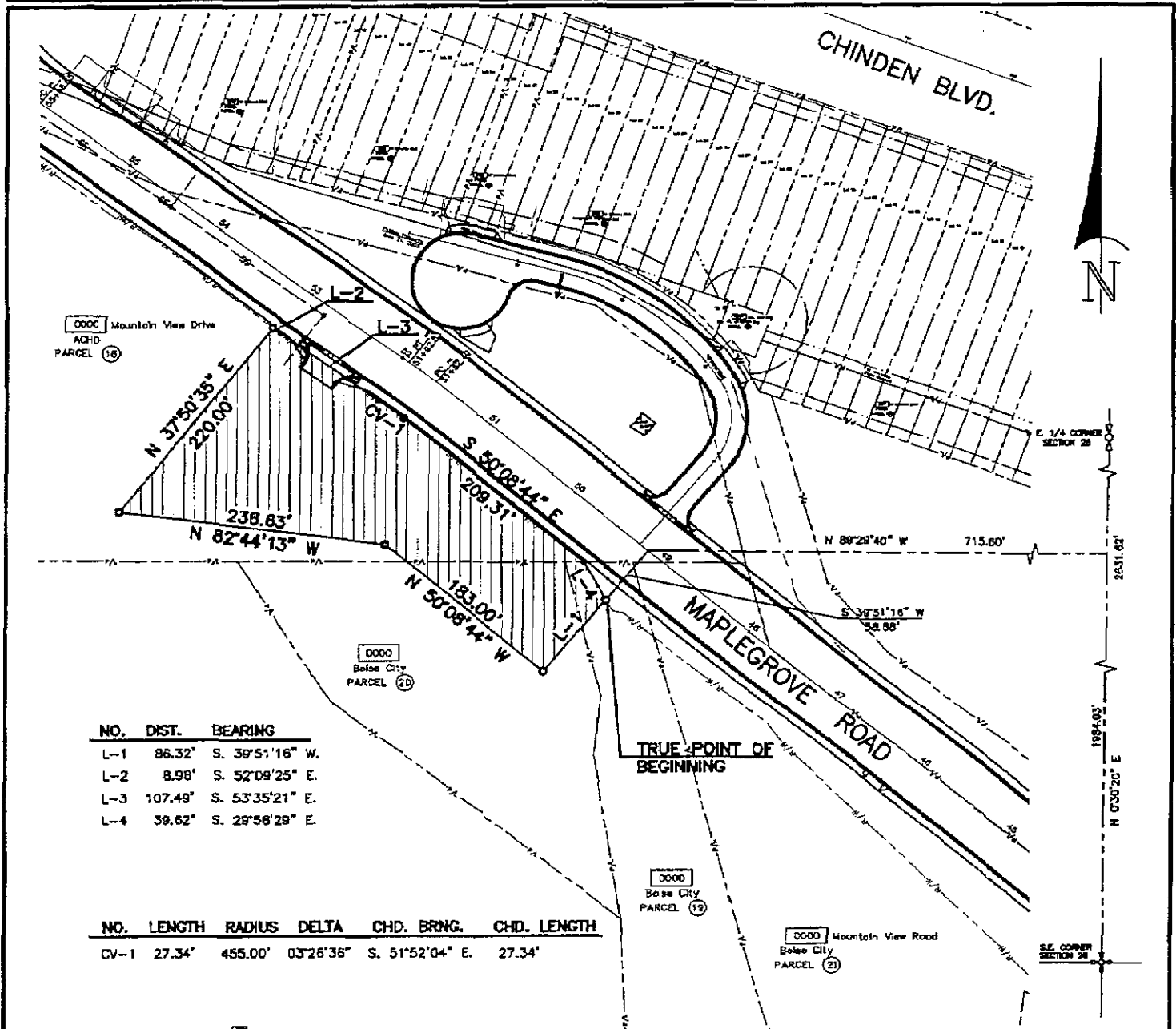
Thence continuing along said right of way South 50°08'44" East 209.31 feet to a found aluminum cap being 45.00 feet left of Station 49+53.18;

Thence continuing along said right of way South 29°56'29" East 39.62 feet to the True Point of Beginning.

Said parcel contains 1.17 Acres more or less.

Dated this 14th day of October, 2011.


Tom Governale
Supt. of Parks

SECTION 26 TOWNSHIP 4N RANGE 1EBOISE CITY  WEST BOISE SEWER ANNEXED AREA 

LOCATED IN: IN THE NE1/4 OF THE
SE1/4 OF SECTION 26 T4N, R1E, B.M.

EXHIBIT A

WEST BOISE SEWER ANNEXATION

City of Boise HYATT WETLANDS PARK

ORDINANCE NO. _____ ACRES: 1.17 EFFECTIVE DATE: _____

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
31909	0000569456	LEGAL NOTICE	WestBoiseSewer	\$234.38	2	71

Attention: Julie Harrison

EVANS KEANE ATTORNEYS AT LAW

1405 W MAIN ST

BOISE

ID

83702

LEGAL NOTICE NOTICE OF INCLUSION OF CERTAIN REAL PROPERTY IN THE WEST BOISE SEWER DISTRICT, ADA COUNTY, IDAHO

TO: ALL INTERESTED PERSONS, PUBLIC NOTICE IS HEREBY GIVEN:

That on the 31st day of August, 2011, pursuant to Idaho Code Section 42-3218, there was filed in the Office of the Board of Directors of the West Boise Sewer District, Ada County, Idaho, a Petition for the Inclusion of Certain Real Property in the West Boise Sewer District, by the City of Boise, owner of certain real property located outside of said West Boise Sewer District, situated in the County of Ada, State of Idaho, and more particularly described as follows:

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 26, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the southeast corner for Section 26, from which the East Quarter corner of said Section 26 bears North 0°30'20" East 2631.62 feet; thence along the easterly boundary of said Section 26 North 0°30'20" East 1984.03 feet; thence leaving said easterly boundary North 89°29'40" West 715.60 feet to the centerline of North Maple Grove Road; thence South 39°51'16" West 58.68 feet to a point on the westerly right of way of North Maple Grove Road, said point being the True Point of Beginning;

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Thence continuing along said right of way South 29°56'29" East 39.62 feet to the True Point of Beginning.

Said parcel contains 1.17 Acres more or less.

Petitioner states that it is aware that as a condition of inclusion, the District may require that the land described in the Petition be subjected to the amount of 1976 taxes of the District as well as tax assessments for all subsequent years, and that Petitioner is aware that it will be the expense of the landowner to provide for such installations to connect to the lines of the District.

The Board may require that Petitioner be responsible for the costs of publication, legal fees and engineering fees incurred by the District to publish this Petition.

That the said Petitioner prays that the real property described herein be included in the West Boise Sewer District, Ada County, Idaho.

That a public hearing on said Petition will be held at 7608 Ustick Road, Boise, Idaho, the office of the West Boise Sewer District on the 11th day of October, 2011, at the hour of 7:15 p.m., where all persons interested may appear and show cause in writing, if any they have, why said Petition should not be granted.

DATED this 13th day of September, 2011.

WEST BOISE SEWER DISTRICT

ADA COUNTY, IDAHO

By /s/ Joy B. Buersmeyer,

Chair of the Board of Directors

ATTEST: /s/ Patricia A. Roe, Secretary

Pub. Sept. 27, Oct. 4, 2011

0000569456-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 09/27/2011

Ending issue of: 10/04/2011

Janice Hildreth
(Legal Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

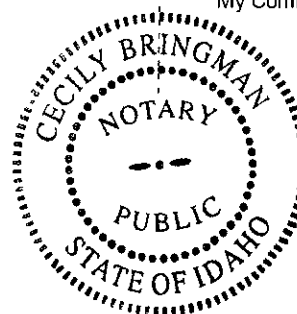
On this 4 day of October in the year of 2011 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cecily Bringham

Notary Public for Idaho
Residing at: Boise, Idaho

My Commission expires:

8-27-15



SECRETARY'S CERTIFICATE

I, Patricia A. Roe, Secretary of the West Boise Sewer District, Ada County, Idaho, hereby certify that attached hereto are true and correct copies of the following documents:

1. Petition for the Inclusion of Certain Real Property in the West Boise Sewer District, by City of Boise;
2. Certificate of Publication with respect to the hearing on such inclusion; and
3. Board Order of Inclusion, together with Petitioner's Consent.

WEST BOISE SEWER DISTRICT

By Patricia A. Roe
Patricia A. Roe, Secretary



EVANS
KEANE LLP
Attorneys at Law

Boise Office
1405 West Main Street
P.O. Box 959
Boise, Idaho 83701-0959

Phone: 208-384-1800
Fax: 208-345-3514
firm@evanskeane.com
www.evanskeane.com



Member, Meritas
With Independent Firms in
Principal Cities Worldwide

James D. Hovren
JHovren@evanskeane.com

October 20, 2011

VIA HAND DELIVERY

IDAHO STATE TAX COMMISSION
800 Park Blvd.
Boise, ID 83722-0036

RE: West Boise Sewer District
Property Owner: City of Boise

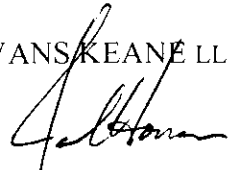
To Whom It May Concern:

Pursuant to Idaho Code Sections 42-3218 and 63-215, I am enclosing a copy of the Sewer District's Board Order of Inclusion, ordering certain real property within Ada County be included within the boundaries of the West Boise Sewer District. Attached to the Board Order, please find a map of the included property.

I have included a second copy of this letter. **Please sign and date this letter and return it to me in the enclosed, postage-paid envelope to acknowledge your receipt of same.** If you have any questions, please do not hesitate to call me at this office.

Yours very truly,

EVANS KEANE LLP


James D. Hovren

JDH:jh
Enclosures

RECEIVED BY: _____
DATE: _____

142

TAX COMMISSION

OCT 20 2011

TAXPAYER SVCS

RECEIVED

OCT 21 2011

TECHNICAL SUPPORT